

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION OPIATE  
LITIGATION

MDL No. 2804

Case No. 1:17-md-2804

This document relates to:

Judge Dan Aaron Polster

1. *Board of County Commissioners of Atoka County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45001-DAP
2. *Board of County Commissioners of Caddo County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-46156-DAP
3. *Board of County Commissioners of Choctaw County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45257-DAP
4. *Board of County Commissioners of Cimarron County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45021-DAP
5. *Board of County Commissioners of Coal County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45149-DAP
6. *Board of County Commissioners of Custer County v. Cephalon, Inc., et al.*  
Case No. 1:20-op-45182-DAP
7. *Board of County Commissioners of Dewey County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-45801-DAP
8. *Board of County Commissioners of Grady County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-46167-DAP
9. *Board of County Commissioners of Greer County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45256-DAP
10. *Board of County Commissioners of Harmon County v. Cephalon, Inc., et al.*  
Case No. 1:20-op-45388-DAP
11. *Board of County Commissioners of Harper County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-45757-DAP
12. *Board of County Commissioners of Haskell County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45002-DAP

**REPLY IN SUPPORT OF JOINT  
MOTION FOR LEAVE TO FILE A  
MOTION SEEKING SUGGESTION OF  
REMAND**

13. *Board of County Commissioners of Hughes County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45258-DAP
14. *Board of County Commissioners of Jackson County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45126-DAP
15. *Board of County Commissioners of Jefferson County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-46170-DAP
16. *Board of County Commissioners of Johnston County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-45765-DAP
17. *Board of County Commissioners of Kay County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-45989-DAP
18. *Board of County Commissioners of Kiowa County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-45755-DAP
19. *Board of County Commissioners of Latimer County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45003-DAP
20. *Board of County Commissioners of Le Flore County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45067-DAP
21. *Board of County Commissioners of Lincoln County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45128-DAP
22. *Board of County Commissioners of Logan County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45058-DAP
23. *Board of County Commissioners of Love County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45000-DAP
24. *Board of County Commissioners of Major County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-45990-DAP
25. *Board of County Commissioners of McCurtain County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45259-DAP
26. *Board of County Commissioners of Noble County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45129-DAP
27. *Board of County Commissioners of Pittsburg County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-45711-DAP

28. *Board of County Commissioners of Pottawatomie County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-45988-DAP
29. *Board of County Commissioners of Roger Mills County v. Cephalon, Inc., et al.*  
Case No. 1:20-op-45183-DAP
30. *Board of County Commissioners of Stephens County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-45756-DAP
31. *Board of County Commissioners of Texas County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45061-DAP
32. *Board of County Commissioners of Tillman County v. Cephalon, Inc., et al.*  
Case No. 1:20-op-45185-DAP
33. *Board of County Commissioners of Woods County v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-45987-DAP
34. *Board of County Commissioners of Woodward County v. Purdue Pharma L.P., et al.*  
Case No. 1:20-op-45141-DAP
35. *City of Ada v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-45400-DAP
36. *City of Altus v. Cephalon, Inc., et al.*  
Case No. 1:21-op-45046-DAP
37. *City of Anadarko v. Purdue Pharma L.P., et al*  
Case No. 1:20-op-45022-DAP
38. *City of Bethany v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-46148-DAP
39. *City of Broken Arrow v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-45415-DAP
40. *City of Edmond v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-45496-DAP
41. *City of Elk City v. Cephalon, Inc., et al.*  
Case No. 1:21-op-45017-DAP
42. *City of Enid v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-45717-DAP
43. *City of Guthrie v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-45497-DAP
44. *City of Jenks v. Purdue Pharma L.P., et al.*  
Case No. 1:19-op-45858-DAP
45. *City of Lawton v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-45500-DAP

46. *City of Midwest City v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-45709-DAP
47. *City of Mustang v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-45708-DAP
48. *City of Oklahoma City v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-45498-DAP
49. *City of Owasso v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-45718-DAP
50. *City of Ponca City v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-45495-DAP
51. *City of Seminole v. Purdue Pharma L.P., et al*  
Case No. 1:20-op-45004-DAP
52. *City of Shawnee v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-46155-DAP
53. *City of Stillwater v. Cephalon, Inc., et al.*  
Case No. 1:21-op-45045-DAP
54. *City of Tulsa v. Cephalon, Inc., et al.*  
Case No. 1:21-op-45024-DAP
55. *City of Yukon v. Purdue Pharma L.P., et al*  
Case No. 1:19-op-45716-DAP

**REPLY IN SUPPORT OF JOINT MOTION REQUESTING LEAVE TO FILE A  
MOTION SEEKING SUGGESTION OF REMAND**

The fifty-five (55) Oklahoma cities and counties asserting only state law claims (the “Oklahoma State-Law Plaintiffs”), reply to the Opposition to Oklahoma Plaintiffs’ Motion Requesting Leave to File a Motion Seeking Suggestion of Remand [Doc. No. 4433] as follows:

The Distributor Defendants responded to the Oklahoma State Law Plaintiffs’ Joint Motion Requesting Leave to File a Motion Seeking Suggestion of Remand (the “Motion”) arguing that the Court should deny the Motion because the Court stated in its April 26, 2022 Order that it will address remands in tranches in the order that they were filed. [Doc. No. 4389]. The Oklahoma State-Law Plaintiffs maintain their request for the Court to rule on their pending remand motions or allow them to file a joint motion seeking suggestion of remand because all 55 cases concern the same remand issues. The remand motions of the Oklahoma State-Law Plaintiffs were filed at

different times between 2019 to 2021 and the Court's current framework will address identical remand issues in piecemeal fashion. Addressing the Oklahoma State-Law Plaintiffs' claims together instead of addressing them individually will serve judicial economy and address more than one sixth (1/6) of the Court's remand motions on its docket. The Court has already rejected the sole argument made by the Distributor Defendants for removal in *See In re: National Prescription Opiate Litigation*, No. 1:17-md-2804, 2019 WL 180246 (N.D. Ohio Jan. 14, 2019). Thus, the only real issue remaining to decide is whether the Manufacturing Defendants' arguments to fabricate diversity jurisdiction should be accepted or rejected.

Furthermore, there were eight Oklahoma State-Law Plaintiffs that have not filed remand motions as stated in footnote 1 of the Oklahoma State-Law Plaintiffs' Motion. If the Court is unwilling to allow the Oklahoma State-Law Plaintiffs to file a joint motion seeking suggestion of remand, it should permit those eight Oklahoma counties to file their remand motions with the Court.

Accordingly, the Oklahoma State-Law Plaintiffs requests that the Court address the pending remand motions that raise identical issues, or allow the Oklahoma State-Law Plaintiffs to file a joint motion for suggestion of remand that will serve the interest of judicial economy and efficiency. At a minimum, the eight Oklahoma counties that have not yet filed remand motions request leave to file such motions.

Dated: May 17, 2022

Respectfully submitted,

/s/ Harrison C. Lujan  
HARRISON C. LUJAN, OBA #30154  
MATTHEW J. SILL, OBA #21547  
FULMER SILL LAW GROUP  
P.O. Box 2448  
1101 N. Broadway Ave., Suite 102  
Oklahoma City, OK 73103  
Phone/Fax: 405-510-0077

[msill@fulmersill.com](mailto:msill@fulmersill.com)  
[hlujan@fulmersill.com](mailto:hlujan@fulmersill.com)

TONY G. PUCKETT, OBA #13336  
TODD A. COURT, OBA #19438  
MCAFEE & TAFT A PROFESSIONAL CORPORATION  
8th Floor, Two Leadership Square  
211 North Robinson  
Oklahoma City, OK 73102-7103  
405/235-9621; 405/235-0439 (FAX)  
[tony.puckett@mcafeetaft.com](mailto:tony.puckett@mcafeetaft.com)  
[todd.court@mcafeetaft.com](mailto:todd.court@mcafeetaft.com)

*-and-*

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

This is to certify that on May 17, 2022, I electronically transmitted the attached document to the Clerk of Court using the ECF System. A Notice of Electronic Filing will be automatically transmitted to all persons who have entered either appearance as ECF registrants in this case.

/s/ Harrison C. Lujan